

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

CLEANUP AND ABATEMENT ORDER NO. 98-042

REQUIRING THE OJAI VALLEY SANITARY DISTRICT TO CLEANUP AND ABATE
CONDITIONS OF WATER POLLUTION CAUSED BY THE RELEASE OF
RAW SEWAGE FROM THE DAMAGED SEWERLINE AT VENTURA RIVER
NEAR CALIFORNIA STATE HIGHWAY 150

(NPDES NO. CA0053961)
(CI No. 4245)

The California Regional Water Quality Control Board, Los Angeles Region, finds:

1. Ojai Valley Sanitary District (hereinafter the District or the Discharger) operates the Ojai Valley Wastewater Treatment Plant which discharges wastes under waste discharge requirements contained in Order No. 96-041 (NPDES Permit No. CA0053961) adopted by this Board on June 10, 1996. The treatment plant is located at 6363 North Ventura Avenue, Ventura, California, and has a design capacity of 3.0 million gallons per day of tertiary treated wastewater to the Ventura River. The District also owns, operates, and maintains over 120 miles of collection pipelines and five pumping stations in its service area.
2. On February 9, 1998, a trunk sewer line at Ventura River, located about 100 feet to the North of the California Highway 150 bridge, was broken and washed away by rock slides during a heavy storm. An estimated of 1.1 million gallons of raw sewage was discharged to the Ventura River before the District bypassed the sewer line by installing a temporary pump station and a temporary pipeline over the bridge. Partly because of this spill, several beaches near the Ventura River Estuary were closed for 72 hours. The District submitted a detailed report for the spill to the Regional Board on February 13, 1998. Regional Board staff instructed the District to fix the broken pipeline as soon as practical.
3. On May 5, 1998, the temporary pump station overflowed due to a brief but heavy rainfall. An estimated 22,500 gallons of raw sewage was again spilled to the Ventura River. As a result, two miles of beach near the Ventura River Estuary were closed for three days.
4. The District submitted a report to the Regional Board on May 15, 1998, for the sewage overflow of May 5. The report presented the receiving water sampling results following the spill and described the District's efforts to coordinate the trunkline repair with various agencies. However, the report failed to propose a date by which the damaged sewer line would be repaired.
5. The damaged sewer line poses a threat to the water quality of the Ventura River and the nearby beaches. More raw sewage could be spilled to the River and cause pollution to the water if the temporary pump station and/or the temporary pipeline again fail.
6. The discharge of raw sewage is a violation of California Water Code Section 13385, and is contrary to the following requirements contained in Board Order No. 96-041:

Discharge Limitation I.A.1. (Page 5)

"Waste discharged shall be limited to treated wastewater only, as proposed.";

Standard Provisions general requirement A.3. (page N-1)

"The discharge shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by Federal Clean Water Act and regulations adopted thereunder."; and,

Standard Provisions general provision B.5. (page N-2)

"Any discharge of wastes at any point(s) other than specifically described in this Order is prohibited, and constitutes a violation of the Order."

7. The Board adopted a revised Water Quality Control Plan (Basin Plan) for the Los Angeles Region on June 13, 1994. The Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. It contains water quality objectives for the Ventura River and its estuary.
8. The Ventura River and its estuary and the nearby beaches have numerous beneficial uses including: industrial service supply; agricultural supply; groundwater recharge; freshwater replenishment; contact and non-contact water recreation; warm freshwater habitat; cold freshwater habitat; wildlife habitat; rare, threatened or endangered species; migration of aquatic organisms; spawning, reproduction, and early development; commercial and sport fishing; navigation; shellfish harvesting; and wetland habitat. The river and its estuary are important habitats for many federal endangered and threatened species, among them are the steelhead rainbow trout, the tidewater goby, and the California least tern.
9. This Order is an action taken for the protection of the environment and, as such, is exempt from the provisions of the California Environmental Quality Act in accordance with California Code of Regulations, Title 14, Chapter 3, Section 15321.

IT IS HEREBY ORDERED, pursuant to California Water Code Section 13304, that the Ojai Valley Sanitary District, shall comply with the following:

1. Cleanup and abate the condition of surface water pollution and threatened pollution caused by the release of raw sewage to the Ventura River by implementing the following actions:
 - a. Complete an assessment to determine the design criteria, maintenance history since it was installed, and the overall condition of the damaged sewer line;
 - b. Complete an assessment to determine the extent of contamination originating from the sewage spills and their biological impacts. Sample the receiving water per your *Monitoring and Reporting Program* CI # 4245 for a spill or bypass event;
 - c. Initiate a phased cleanup and abatement program. The cleanup of any remaining surface contamination and the abatement of impacts to downstream watershed resources shall take priority;
 - d. Conduct activities specified in Items a, b, and c above, as necessary, according to the schedule of work shown in Attachment A, or subsequent revised time schedules submitted to, and approved by, the Executive Officer as the work proceeds; and,

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- e. Submit a final report to this Board, describing all completed activities and results, when all phases of surface water cleanup and investigation detailed in Attachment A are completed.

The investigation and cleanup program shall be directed and conducted by a registered civil engineer. The assessment of impacts to beneficial uses shall be conducted by a biologist or other scientist possessing the necessary expertise.

- 2. This Order is not intended to stop or redirect any investigation or cleanup or remediation programs ordered by this Board or any other agency.
- 3. This Order in no way limits the authority of the Board, as contained in the California Water Code, to institute additional enforcement actions or to require additional investigation and cleanup pertinent to this project. This Order may be revised by the Executive Officer as additional information on this project becomes available. Upon request by the District, and for good cause shown, the Executive Officer may delete or extend the date of compliance for any action required of the District under this Order.
- 4. The Executive Officer is authorized to take appropriate action, pursuant to Sections 13268 and 13350 of the California Water Code, against the District for any noncompliance with this Order including assessment of penalties in the amount of up to \$5,000.00 per day for each day on which any technical data requested by this Cleanup and Abatement Order is not submitted.
- 5. If the District fails to comply with any provisions of this Order, the Executive Officer is authorized to request the Attorney General to take the appropriate action against the Discharger, including injunction and civil monetary remedies, pursuant to appropriate California Water Code sections, including, but not limited to, Sections 13304, 13350, 13385, and 13386.

Ordered by: _____
DENNIS A. DICKERSON
Executive Officer

Dated: June 11, 1998

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ATTACHMENT A

<u>ACTION</u>	<u>Date</u>
1. Submit a written preliminary report, as required under Section E.16 of the Standard Provisions Reporting Requirement in your NPDES permit, detailing: <ul style="list-style-type: none">a. a description of the noncompliance (including flow data) and its cause;b. the periods of noncompliance, including exact dates and times;c. whether the noncompliance has been corrected;d. the anticipated time it is expected to continue;e. the steps taken to reduce, eliminate, and prevent reoccurrence of the noncompliance;f. site assessment done to determine the extent of contamination; andg. impacts of spill on receiving waters and its beneficial uses.	July 1, 1998
2. Submit a river channel mitigation and sewer line repair plan to the Regional Board	July 1, 1998
3. Complete the repair of the damaged sewer line	August 1, 1998
4. Submit a final report to the Regional Board	September 1, 1998